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Hearing Date: September 13, 2017, at 2:00 pm

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

LYONDELL CHEMICAL COMPANY, et al.,

Debtors.

Chapter 11

Case No. 09-10023 (CGM)

(Jointly Administered)

EDWARD S. WEISFELNER, AS TRUSTEE OF
THE LB CREDITOR TRUST,

Plaintiff,

v.

FUND 1, et al.,

Defendants.

Adv. Pro. No. 10-04609 (MG)

EDWARD S. WEISFELNER, AS TRUSTEE OF
THE LB CREDITOR TRUST,

Plaintiff,

v.

STUART REICHMAN, et al.,

Defendants.

Adv. Pro. No. 12-01570 (MG)

**NOTICE OF MOTION TO DISMISS THESE
ADVERSARY PROCEEDINGS WITH PREJUDICE**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Shareholder Defendants will move before the Honorable Martin Glenn, United States Bankruptcy Judge, in Courtroom 523, at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004 on **September 13, 2017 at 2:00 pm** (prevailing Eastern Time), for an order dismissing the above-captioned adversary proceedings with prejudice pursuant to Fed. R. Civ. P. 12(b)(6), as incorporated in Fed. R. Bankr. P. 7012.

Dated: August 18, 2017
New York, New York

Respectfully Submitted,

/s/ Philip D. Anker

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Counsel for Fund 1 Action Defendants State Street Bank and Trust Company as Trustee for Mutual Fund 61 (improperly sued as "Mutual Fund 61"); State Street Bank and Trust Company as Trustee for Mutual Fund 53 (improperly sued as "Mutual Fund 53"); State Street Bank and Trust Company as Trustee for Mutual Fund 37 (improperly sued as "Mutual Fund 37"); State Street Bank and Trust Company as Trustee for Mutual Fund 17 (improperly sued as "Mutual Fund 17"); State Street Bank and Trust Company as Trustee for Mutual Fund 21 (improperly sued as "Mutual Fund 21"); State Street Bank and Trust Company as Trustee for Mutual Fund 31 (improperly sued as "Mutual Fund 31"); State Street Bank and Trust Company as Trustee for Mutual Fund 35

(improperly sued as “Mutual Fund 35”); State Street Bank and Trust Company as Trustee for Mutual Fund 40 (improperly sued as “Mutual Fund 40”); State Street Bank and Trust Company as Trustee for Mutual Fund 56 (improperly sued as “Mutual Fund 56”); State Street Bank and Trust Company as Trustee for Mutual Fund 51 (improperly sued as “Mutual Fund 51”); State Street Bank and Trust Company as Trustee for Mutual Fund 5 (improperly sued as “Mutual Fund 5”); State Street Bank and Trust Company as Trustee for Mutual Fund 47 (improperly sued as “Mutual Fund 47”); State Street Bank and Trust Company as Trustee for Mutual Fund 46 (improperly sued as “Mutual Fund 46”); State Street Bank and Trust Company as Trustee for Mutual Fund 24 (improperly sued as “Mutual Fund 24”); Doft and Co., Inc.; Elisabeth H. Doft; MJR Partners; RBC Dominion Securities; BellSouth Corporation Representable Employees Health Care Trust-Retirees (improperly sued as “BellSouth Healthcare S&P 400 a/k/a BellSouth Corporation Representable Employees Health Care Trust-Retirees”); NBCN, Inc.; BellSouth Corporation RFA VEBA Trust (improperly sued as “BellSouth GroupLife Trust - S&P a/k/a BellSouth Corporation RFA VEBA Trust”); Trust 18; EQ Advisors Trust (on behalf of Affiliate of Fund 24, Affiliate of Fund 49, and Fund 94 (improperly sued as “Fund 24,” which is a non-existing entity; “Fund 49,” which is a non-existing entity; and “Fund 94”)); Fund 14; HBK Master Fund L.P. (improperly sued as “HBK Master Fund LP”); Affiliate of Trust 35 (improperly sued as “Trust 35,” which is a non-existing entity); Affiliate of Fund 82 (improperly sued as “Fund 82,” which is a non-existing entity); Affiliate of Mutual Fund 28 (improperly sued as “Mutual Fund 28,” which is a non-existing entity); Mutual Fund 36; Fund 13; Investment Firm 6; Trust 94; Fund 92; Trust 74; Trust 183 (also sued as “Trust 191”); Trust 196 (also sued as “Trust 197”); Individual 762; Investment Firm 3; Fund 245; Fund 251; Fund 238; Affiliate of Investment Firm 2 (improperly sued as “Investment Firm 2,” which is a non-existing entity) (successor in interest to Fund 228 and Fund 252); Fund 236; Fund 214; Fund 222;

Trust 9; Trust 6; Fund 66; Fund 131; Component of Mutual Fund 58 (improperly sued as “Mutual Fund 58,” which is a non-existing entity); Mutual Fund 2; Fund 7; Affiliate of Fund 206 (improperly sued as “Fund 206,” which is a non-existing entity); Trust 208; Foundation 11; Individual 768; Trust 194; Trust 205; Fund 267; Trust 200; Trust 215; Trust 195; Trust 199; Trust 186; Individual 38; Individual 430; Affiliate of Financial Advisor 35 (improperly sued as “Financial Advisor 35,” which is a non-existing entity); Affiliate of Corporation 69 (improperly sued as “Corporation 69,” which is a non-existing entity); Pension Fund 17; Individual 756; Successor in Interest to Financial Advisor 11 (improperly sued as “Financial Advisor 11,” which is a non-existing entity); Affiliate of Fund 2 (improperly sued as “Fund 2,” which is a non-existing entity); Fund 250; Fund 244; Fund 108; Mutual Fund 9; Fund 118 (also sued as “Fund 254,” which is a non-existing entity); Mutual Fund 60; Affiliate of Trust 4 (improperly sued as “Trust 4,” which is a non-existing entity); Fund 275 (also sued as “Fund 48”); Fund 277 (also sued as “Mutual Fund 14”); Fund 276 (also sued as “Fund 55”); Affiliate of Financial Advisor 5 (improperly sued as “Financial Advisor 5,” which is a non-existing entity); Affiliate of Financial Advisor 39 (improperly sued as “Financial Advisor 39,” which is a non-existing entity); Affiliate of Individual 359 (improperly sued as “Individual 359,” which is a non-existing entity); Affiliate of Individual 614 (improperly sued as “Individual 614,” which is a non-existing entity); Fund 62; Fund 157; State Street Bank & Trust Co., as Trustee for Mutual Fund 63 (improperly sued as “Mutual Fund 63”); First New York Securities LLC (improperly sued as “First NY Securities / Britally Capital,” which is a non-existing entity); Fund 278 (also sued as “Fund 14”); Fund 210; Fund 211; Fund 213; Fund 219; Fund 212; Fund 266 (also sued as “Fund 138,” which is a non-existing entity); Fund 255; Fund 232 (also sued as “Mutual Fund 33,” which is a non-existing entity); Affiliate of Fund 227 (improperly sued as “Fund 227,” which is a non-existing entity); Fund 36; Fund 239 (also sued as “Mutual Fund 39,” which is a non-existing entity); Mutual

Fund 42; Fund 229; Fund 270 (improperly sued as “Fund 270,” which is a non-existing entity); Fund 41 (also sued as “Fund 233”); Affiliate of Fund 273 (improperly sued as “Fund 273” and as “Fund 29,” which are non-existing entities); Fund 274 (also sued as “Fund 159”); Fund 68 (also sued as “Fund 242”); Affiliate of Fund 208 (improperly sued as “Fund 208,” which is a non-existing entity); Mutual Fund 6; Fund 32; Affiliate of Fund 61 (improperly sued as “Fund 61,” which is a non-existing entity); Fund 83; Mutual Fund 13; Mutual Fund 16; Mutual Fund 20; Mutual Fund 7; Financial Advisor 6; Fund 39; Fund 256 (improperly sued as “Fund 256,” which is a non-existing entity); Fund 216 (also sued as “Fund 22,” which is a non-existing entity); Pension Fund 92 (improperly sued as “Pension Fund 92,” which is a non-existing entity); Affiliate of Fund 78 (improperly sued as “Fund 78,” which is a non-existing entity); Affiliate of Fund 45 (improperly sued as “Fund 45,” which is a non-existing entity); Pension Fund 1 (improperly sued as “Pension Fund 1,” which is a non-existing entity); Bank 1; Corporation 41 (improperly sued as “Corporation 41,” which is a non-existing entity); Trust 178 (improperly sued as “Trust 178,” which is a non-existing entity); International Entity 9; Fund 139 (improperly sued as “Fund 139,” which is a non-existing entity); Affiliate of Mutual Fund 3 (improperly sued as “Mutual Fund 3,” which is a non-existing entity); Affiliate of Mutual Fund 12 (improperly sued as “Mutual Fund 12,” which is a non-existing entity); Affiliate of Fund 34 (improperly sued as “Fund 34,” which is a non-existing entity); Fund 76; Fund 20; Trust 56; Pension Fund 31; Fund 77; Affiliate of Financial Advisor 16 (improperly sued as “Financial Advisor 16,” which is a non-existing entity); Fund 220 (also sued as “Fund 25,” which is a non-existing entity); Affiliate of Fund 8 (improperly sued as “Fund 8,” which is a non-existing entity); Affiliate of Fund 27 (improperly sued as “Fund 27,” which is a non-existing entity); Fund 262 (improperly sued as “Fund 262,” which is a non-existing entity); State Street Global Advisors Index Funds SICAV (improperly sued as “Mutual Fund 54,” “Mutual

Fund 44,” “Mutual Fund 49,” and “Mutual Fund 62”); Bank 8; Fund 121; Fund 123; Fund 45; Financial Advisor 13; Fund 205; Financial Advisor 15;

and

Reichman Action Defendant Glenn H. Roth

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*Counsel for Fund 1 Action Defendants Individual
51, Family Foundation 1, Trust 21, Trust 31, Trust
51, Individual 200, Trust 64, Family Foundation 7,
Individual 151, Individual 200, Individual 279,
Corporation 60, Individual 300, Noonday Capital
Partners LLC, Tinicum Partners, L.P., Farallon
Capital Institutional Partners, L.P., Farallon
Capital Institutional Partners II, L.P., Farallon
Capital Institutional Partners III, L.P., Farallon
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24, Corporation 67, Fund 156, Fund 110, Fund
124, Fund 186, Fund 52, Fund 59, Fund 73, Fund
79, Fund 96, International Entity 1, Mutual Fund 1,
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